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E-filed 1/19/06

Attorney for Plaintiffs

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

TERRY TANNER AND WILLIAM T.
 BARROW, AS TRUSTEES OF THE
 INTERNATIONAL BROTHERHOOD OF
 ELECTRICAL WORKERS LOCAL 332
 HEALTH AND WELFARE AND PENSION
 TRUST FUNDS, NEBF, JEIF, NECA
 SERVICE CHARGE, NECA, DUES
 CHECK OFF AND APPRENTICESHIP
 TRAINING TRUST FUNDS,

Plaintiffs,

vs.

GLENUS JOHN BENDER, individually and
 doing business as BENDER ELECTRIC,

Defendants.

CASE NO.: C05-03177 JF

CASE MANAGEMENT
 CONFERENCE STATEMENT
 AND ~~PROPOSED~~ ORDER

Date: January 20, 2006
 Time: 10:30 a.m.
 Place: Courtroom 3, 5th Floor
 Judge: Hon. Jeremy Fogel

Plaintiff in the above-entitled action submits this Case Management Statement and proposed order, and requests that the court adopt it as the Case Management Order in this case. The defendant in this matter has not yet been served. Plaintiffs have unsuccessfully attempted service on Defendant, as well as contact the Postal Service for a current address. A copy of the "Not Found or Non Service Return" is attached. Plaintiffs will continue to attempt service on Defendant.

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DESCRIPTION OF THE CASE

This is a claim for unpaid employee benefits to Taft-Hartley Employee Benefit Trust Funds.

Plaintiffs would like to continue the case for sixty (60) days to continue to attempt service on defendant. Therefore, Plaintiffs request that the case be continued until March 24, 2006, for another Case Management Conference.

Respectfully submitted,

Dated: January 12, 2006


SUE CAMPBELL
Attorney for Plaintiff

ORDER

The Case Management Conference is hereby continued to March 24, 2006, at 10:30 a.m., in Courtroom 3, 5th Floor. Plaintiff will file an update and proposed action ten (10) days prior to the Case Management Conference.

Dated: 1/18/06


JEREMY FOGEL
JUDGE OF THE U.S. DISTRICT COURT

LAW OFFICE OF SUE CAMPBELL
 1155 N. FIRST STREET
 SAN JOSE, CA 95112
 Telephone: (408) 277-0648
 Attorneys for:

United States District Court -San Jose
 United States District Court-San Jose

Plaintiff(s) : TANNER, et al.
 Defendant(s) : BENDER, et al.

Hearing Date:
 Time: Dept.

Invoice No. 253493

DECLARATION RE DILIGENCE

Case No. C05-03177 HRL

I Michael Matthews

, and any employees or independent contractors retained by

Professional Legal Services, Inc. are and were on the dates mentioned herein over the age of eighteen years and not a party to this action. Personal service was attempted on

GLENUS JOHN BENDER, INDIVIDUALLY AND DBA BENDER ELECTRIC

- (3) Alternate Address : ,
 (2) Business Address : ,
 (1) Residence Address: 22369 AINSWORTH DRIVE, Los Altos, Ca 94024

<u>Date and time of attempt(s):</u>	<u>Reason for non-service:</u>	<u>Loc</u>
11-2-05 6:22 pm	NO ANSWER	
11-5-05 8:50 am	NO ANSWER	
11-7-05 7:19 pm	NO ANSWER	
11-10-05 8:11 pm	NO ANSWER	
11-14-05 7:33 am	NO ANSWER	
11-17-05 9:16 pm	NO ANSWER	
11-20-05 11:18 am	NO ANSWER	
11-25-05 9:02 am	UNKNOWN HERE PER MIDDLE EASTER FEMALE OCCUPANT WHO BOUGHT THE HOUSE FIVE YEARS AGO.	
12-23-05	RETURNING TO CLEAR FILES.	

This Declaration is based upon business records maintained in the normal course of business
 I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on December 23, 2005

Signature: Michael Matthews
 Michael Matthews